

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14424 of 2023

Arising Out of PS. Case No.-128 Year-2021 Thana- SISWAN District- Siwan

GHANSHYAM DUBEY S/o Late Jagdish Dubey R/o Village- Noniapatti,
P.S.- Siswan, Distt- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv.
	:	Mr. Kundan Rathore@ Kundan Kumar, Adv.
For the Opposite Party/s	:	Mr. Syed Ehteshamuddin, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-07-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Section 302/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, on 21.05.2021 at about 5 A.M she saw dead body of her son Golu Dubey was lying in front of her house. She informed the police that some persons were threatening to kill her son, suits were also going with some. The informant in petitioner has expressed suspicion against Shashikant Dubey, Sanjay and the petitioner Ghanshyam Dubey.

Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He further submits that only on suspicion the petitioner has been made accused in the present case. He submits that there was early dispute between the petitioner and informant due to which the name of the petitioner is transpired in this case. He further submits that though post-mortem shows multiple injury on the dead body but there is no specific overt act against the petitioner in the entire case diary. He submits that there is no material even for suspicion against the petitioner. He further submits that petitioner has got two criminal antecedents as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Siswan P.S. Case No.128/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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